

(Name) **LEROY WILLIS JR 7770645 FILED**

(Address) **1173 FRONT ST SD, CA 92101** 2008 MAY -9 PM 2:24

(City, State, Zip) **CLERK US DISTRICT COURT SOUTHERN DISTRICT OF CALIFORNIA**

(CDC Inmate No.) **BOOKING# 7770645** BY **Rn** DEPUTY

2254	1983	<input checked="" type="checkbox"/>
FILING FEE PAID		
Yes	No <input checked="" type="checkbox"/>	
HYP MOTION FILED		
Yes	No <input checked="" type="checkbox"/>	
COPIES SENT TO		
Court	ProSe	

United States District Court
Southern District of California

(Enter full name of plaintiff in this action.)

LEROY WILLIS JR Plaintiff

VS.

W-Bill Kollender CHIEF DEPUTY
RICHARD LIEKWEG ET AL
UCSD HEALTH CARE CMO

(Enter full name of each defendant in this action.)

DEPUTY ANDERSON - Defendant(s)
DEPUTY KATRA

08 CV 0844 JAH JMA

Civil Case No.

(To be supplied by Court Clerk)

Complaint Under the
Civil Rights Act
42 U.S.C. § 1983

A. Jurisdiction

Jurisdiction is invoked pursuant to 28 U.S.C. § 1343(a)(3) and 42 U.S.C. § 1983. If you wish to assert jurisdiction under different or additional authority, list them below.

B. Parties

1. Plaintiff: This complaint alleges that the civil rights of Plaintiff, **LEROY WILLIS JR**

(print Plaintiff's name)

who presently resides at **1173 FRONT ST SD, CA 92101**
(mailing address or place of confinement)

of the below named individuals. The actions were directed against Plaintiff at

200 WEST ARBOR DRIVE SD, CA 92103
UCSD on (dates) **2-18-02** (Count 1) and **2-16-08** (Count 3)

2. Defendants: (Attach same information on additional pages if you are naming more than 4 defendants.)

COUNTY OF SAN DIEGO CLAIMS
2-20-08

(CHIEF)
 Defendant **W-B KOLLENDER** resides in **P.O. BOX 939062**
(name) **ET, AL** (County of residence) **SD, CA 92193**
 and is employed as a (defendant's position/title (if any))
 his/her ☒ individual ☐ official capacity. (Check one or both.) Explain how this defendant was acting
 under color of law: **EXCESSIVE FORCE VIOLATES EIGHT**
AMENDMENT OF U.S. CONSTITUTION

(CMO)
 Defendant **RICHARD LIEKWEG** resides in **200 W. ARBOR**
(name) **ET, AL** (County of residence) **DR. SD, CA 92103**
 and is employed as a (defendant's position/title (if any))
 his/her ☒ individual ☐ official capacity. (Check one or both.) Explain how this defendant was acting
 under color of law: **EXCESSIVE FORCE VIOLATES**
EIGHT AMENDMENT OF U.S. CONSTITUTION

Defendant **D-Anderson** resides in **P.O. BOX 939062**
(name) (County of residence) **SD, CA 92193**
 and is employed as a (defendant's position/title (if any))
 his/her ☒ individual ☐ official capacity. (Check one or both.) Explain how this defendant was acting
 under color of law: **DEPUTY ANDERSON**
EXCESSIVE FORCE VIOLATES U.S.
CONSTITUTION

Defendant **D-KATRA** resides in **P.O. BOX 939062**
(name) (County of residence) **SD, CA 92193**
 and is employed as a (defendant's position/title (if any))
 his/her ☒ individual ☐ official capacity. (Check one or both.) Explain how this defendant was acting
 under color of law: **DEPUTY KATRA EXCESSIVE**
FORCE VIOLATES EIGHT AMENDMENT
OF U.S. CONSTITUTION

NOTE
ALL ABOVE VIOLATED EIGHT AMENDMENT
UNDER CRUEL AND UNUSAL PUNISHMENT
BY EXCESSIVE FORCE AND A DELIBERATE
IN DIFFERENCE TO A SERIOUS MEDICAL NEED.
W B. KOLLENDER UCSD-CMO ET, AL

C. Causes of Action (You may attach additional pages alleging other causes of action and the facts supporting them if necessary.)

Count 1: The following civil right has been violated:

EXCESSIVE FORCE ISA
EIGHT AMENDMENT VIOLATION (E.g., right to medical care, access to courts, due process, free speech, freedom of religion, freedom of association, freedom from cruel and unusual punishment, etc.)

INDIFFERENCE TO A SERIOUS MEDICAL NEED = CRUEL AND

Supporting Facts: [Include all facts you consider important to Count 1. State what happened clearly and in your own words. You need not cite legal authority or argument. Be certain to describe exactly what each defendant, by name, did to violate the right alleged in Count 1.]

UNUSUAL PUNISHMENT ALSO

(DEPUTY ROLEN) CHANGED SHIFTS ON
 AND DEPUTY
 (JENNINGS)

2-18-02 UCSD

Hillcrest SD, CA

CARDIAC FLOOR

WITH TWO YOUNG DEPUTYS (KATRA) ANDERSON
 IN THE MORNING AM. NURSE SCORD HAD
 BEEN PLACED ON CHAIR DUE TO SNOREING
 BY MR WILLIS. DEPUTY ROLEN^S FEIT HE COULD
 NOT HEAR TV CLEAR SPEAKER FOR TV^{IS} ON NURSES
 CORD SO IT WAS REMOVED FROM MY BED.

A NURSE ENTERED ROOM AFTER SHIFT CHANGED
 A CALLED INMATE IN BED NEXT TO ME BY
 MY NAME LEROY WILLIS JR BECAUSE HE HAD
 OWN INCORRECT WRIST BAND. WHEN I
 ASKED NURSE WHAT WAS GOING ON SHE RAN
 OUT OF ROOM WHEN I REACHED FOR MY
 NURSE CORD WHILE LAYING ON MY BACK
 FEET AND RIGHT HAND CHAINED

Count 2: The following civil right has been violated:

EXCESSIVE FORCE - CRUEL AND UNUSUAL PUNISHMENT AND DELIBERATE INDIFFERENCE TO A SERIOUS MEDICAL NEEDS ALSO.

Supporting Facts: [Include all facts you consider important to Count 2. State what happened clearly and in your own words. You need not cite legal authority or argument. Be certain to describe exactly what each defendant, by name, did to violate the right alleged in Count 2.]

→ **OVER TO BED DEPUTY - Anderson**
SNATCHED CORD He leaped
 up from **HIS CHAIR LOCATED**
AT THE END OF UCSD
HOSPITAL BED AND SNATCHED
CORD FROM SOCKET. Deputy
KATRA leaped up AND STARTED
TO CHOKER ME OYEA SCREAMING
SHUT UP I HAD BREATHING NOSSLE
IN MY NOSE. NEXT THING I KNOW
KATRA THROWING MY HEAD BACK AND
FOURTH ON BED THEN THERE'S A BLOW THROWN MY LEFT
EYE IS FRACTURED FROM PUNCH THROWN BY
ANDERSON ALL BEHIND CMO 'Richard' LIEKWEQ
HOSPITAL UCSD MIX UP WITH ID MEDICAL
BAND AND THERE FAILURE TO INSTRUCT
DEPUTY WHO CHANGED SHIFTS ON 2-18-02

Count 3: The following civil right has been violated:

'SEE MEDICAL REPORT ATTACHED.

due process, free speech, freedom of religion, freedom of association, freedom from cruel and unusual punishment, etc.)

Supporting Facts: [Include all facts you consider important to Count 3. State what happened clearly and in your own words. You need not cite legal authority or argument. Be certain to describe exactly what each defendant, by name, did to violate the right alleged in Count 3.]

→ OVER WITH DEPUTY ROLENS THAT
THE THE NURSE CORD GOES IN
THE BED OF PATIENT. PATIENT LAYING
ON HIS BACK CHAINED TO BED
AFTER INCIDENT IS OVER AND OCCURED.
DEPUTY WRITE UP A COVERED UP
REPORT TO HIDE THERE ACTION
AND THEY FORWARD INCIDENT TO
D.A. OFFICE. CASE WAS
"REJECTED. They never
HAD A RULE VIOLATION HEARING NO
CONDUCT CREDIT LOSS. JUST PLACED
ME A HIGH RISK ESCAPE INMATE. I LIED
ON ME AND CONTINUES TO ALLEGE ALL MADE
UP LIES IN THERE COMPUTER. THEY ARE
CORRUPT

D. Previous Lawsuits and Administrative Relief

1. Have you filed other lawsuits in state or federal courts dealing with the same or similar facts involved in this case? ☐ Yes ☒ No.

UCSD COPY OF MEDICAL REPORT 1 OF 3. 2002

If your answer is "Yes", describe each suit in the space below. [If more than one, attach additional pages providing the same information as below.]

(a) Parties to the previous lawsuit:

Plaintiffs: _____

Defendants: _____

(b) Name of the court and docket number: _____

(c) Disposition: [For example, was the case dismissed, appealed, or still pending?] _____

(d) Issues raised: _____

(e) Approximate date case was filed: _____

(f) Approximate date of disposition: _____

2. Have you previously sought and exhausted all forms of informal or formal relief from the proper administrative officials regarding the acts alleged in Part C above? [E.g., CDC Inmate/Parolee Appeal Form 602, etc.] ? ☒ Yes ☐ No.

If your answer is "Yes", briefly describe how relief was sought and the results. If your answer is "No", briefly explain why administrative relief was not sought.

COUNTY CLAIMS OFFICE
1600 PACIFIC HIGHWAY SD, CA 92101
(6-18-02)
COUNTY ADMIN
REPLY FROM COUNTY ATTACHED

(1-16-08) 2-20-08
HAVEING NIGHTMARES. Double Vision
FROM (2002) INCIDENT
THAT HAS OCCURED 1-16-08 HEAD PAIN
NIGHTMARES
Double Vision

E. Request for Relief

Plaintiff requests that this Court grant the following relief:

1. An injunction preventing defendant(s):

DOCTOR
DAVIS
ORDERED
CLINIC
VISIT.

BASED ON SKIN
COLOR
MEDICAL TREATMENT DENIED
BY LICSD DOCTOR FOR CLINIC VISIT

2. Damages in the sum of \$

500,000.00

3. Punitive damages in the sum of \$

500,000.00

4. Other:

DOCTOR GARY
VILKE
1-14-08

F. Demand for Jury Trial

Plaintiff demands a trial by ☒ Jury ☐ Court. (Choose one.)

AMAZE THIS
YOUNG AND MY DIAGNOSIS
I SHOULD BE
SEEN OFTEN.

G. Consent to Magistrate Judge Jurisdiction

In order to insure the just, speedy and inexpensive determination of Section 1983 Prisoner cases filed in this district, the Court has adopted a case assignment involving direct assignment of these cases to magistrate judges to conduct all proceedings including jury or bench trial and the entry of final judgment on consent of all the parties under 28 U.S.C. § 636(c), thus waiving the right to proceed before a district judge. The parties are free to withhold consent without adverse substantive consequences.

The Court encourages parties to utilize this efficient and expeditious program for case resolution due to the trial judge quality of the magistrate judges and to maximize access to the court system in a district where the criminal case loads severely limits the availability of the district judges for trial of civil cases. Consent to a magistrate judge will likely result in an earlier trial date. If you request that a district judge be designated to decide dispositive motions and try your case, a magistrate judge will nevertheless hear and decide all non-dispositive motions and will hear and issue a recommendation to the district judge as to all dispositive motions.

You may consent to have a magistrate judge conduct any and all further proceedings in this case, including trial, and the entry of final judgment by indicating your consent below.

Choose only one of the following:



Plaintiff consents to magistrate judge jurisdiction as set forth above.

OR



Plaintiff requests that a district judge be designated to decide dispositive matters and trial in this case.

I declare under the penalty of perjury that the foregoing is true and correct.

Date

3-25-08

Signature of Plaintiff

Larry Wilkins Jr

PLEASE NOTE Incident Report From
2002 OF FEB 18 incident # 21000411
IS IMPORTANT. DISTRICT ATTORNEY OFFICE
REJECTED THERE CLAIM. THERE ABUSIVE
CONDUCT IS NEVER THERE FAULT. ~~THE~~ THERE
INVESTIGATIONS ARE VOID BIAS. UCSD
HOSPITAL ARM MEDICAL BAND MIXUP.
CONTRIBUTED TO MY LEFT EYE FRACTURE,
NIGHTMARES AND DOUBLE VISION IN EYE
HAS OCCURED ON MORNING OF 1-16-08
BURNING LEFT EYE HEAD PAIN.

SINCE 2002 INCIDENT I HAVE BEEN IN
THERE ADSEG FOR THERE ATTACK ON ME.
THEY ATTEMPTED TO BRAINWASH ME.

2002 SENT TO PRISON ON COCAINE CHARGES
2005 RETURNED TO SDCJ ON THEFT CHARGES
HOUSED BACK IN ADSEG. 2007 PAROLED
2008 REARRESTED HOUSED BACK IN ADSEG.
REFUSED CLINIC VISIT FOR EYE AND HEART.
UCSD CMO CLAIMS ITS NOT IMPORTANT. MY VISION

1 **V. After Complaint Is Filed**

2 You will be notified as soon as the court issues any order in your case. It is your
3 responsibility to keep the court informed of any changes of address to ensure you receive court
orders. Failure to so do may result in dismissal of your action.

4 **VI. Repeat Filers**

5 If you are seeking leave to proceed in forma pauperis and, while incarcerated or detained,
6 you have filed §§ 1983 actions on three or more prior occasions which were dismissed as
frivolous, malicious, or for failure to state a claim upon which relief may be granted, you may not
7 file a new §§ 1983 action unless you are under imminent danger of serious physical injury. 28
U.S.C.
§§ 1915(g).

8 **VII. Inquiries and Copying Requests**

9 Because of the large volume of cases filed by inmates in this court and very limited court
10 resources, the court can no longer answer questions concerning the status of your case or provide
copies of documents, except at a charge of fifty cents (\$0.50) per page. You must therefore keep
11 copies of all documents submitted to the court for your own records.

12 PETITIONER WILLIS HAS SORES
13 ON LEG FROM EITHER THE SHOES
14 ISSUED THAT ARE FULL OF BACTERIA
15 ARE THE DYE IN THE GREEN JUMP
16 SUIT. SEEN UCSD DERMATOLOGIST
17 IN 2006 RESULTS FROM SKIN
18 BIOPSY SHOWED TWO TYPES OF
19 SKIN DISEASE ONE WITH A UNKNOWN
20 CAUSE. THERE IS A SHOWER
21 SHOE WHICH MAKES MY SKIN ON MY LEG ITCHES
22 SORES ON ELBOW ALSO
23
24
25
26
27
28

SORES
BREAKOUT.



DISCHARGE SUMMARY
02/23/02

PAGE: 1 OF 3

0807725
WILLIS LEROY J
06/02/1958 83687731

Dictating Practitioner: Guillermo Castillo, M.D.
Attending Physician: Kirsten L. Searfus, M.D.

Date of Admission: 02/16/2002
Date of Discharge: 02/23/2002

DISCHARGE DIAGNOSES: (1) New onset congestive heart failure. (2) Hypertension. (3) Diagnosis of sarcoid. (4) Left orbital fracture. (5) Hypertension.

RESIDENT: Dr. Tanja Crockett

INTERN: Dr. Guillermo Castillo.

PRESENT ILLNESS: The patient is a 43-year-old male with a history of polysubstance abuse, who presented from jail with a one-month history of increasing dyspnea on exertion and chest pain while climbing stairs that resolves at rest. No previous history of myocardial infarction. Please see H&P for more details.

LABORATORY DATA/EKG/X-RAYS: The patient had a chest x-ray on February 16, 2002, which showed bilateral wing appearance of pulmonary opacities consistent with pulmonary edema, mildly enlarged cardiac silhouette, and bilateral hilar fullness, and subcarinal lymphadenopathy. On February 17, 2002, the patient had another chest x-ray which was unchanged from the study on February 16, 2002. CT scan on February 22, 2002, demonstrated a left inferior orbital fracture with entrapment of the inferior rectus muscle. This also showed a fracture of the medial wall of the left orbit and fluid in the maxillary and ethmoid sinuses. A MIBI on February 19, 2002, showed no areas suggesting any current ischemia but did show fixed inferior wall motion and absent wall motion to the distal inferior walls consistent with a prior myocardial infarction. This also showed a marked decrease in ejection fraction of 21% and global hypokinesis.

HOSPITAL COURSE: (1) Congestive heart failure: Chest x-ray was consistent with a congestive heart failure picture. The patient initially was ruled out for myocardial infarction with negative cardiac enzymes times three. We also sent out urine tox screen for possible toxic etiology of congestive heart failure which returned negative. Considering the patient's history of intravenous drug abuse, that was a reasonable concern. The patient was put on 20 mg p.o. q.day of Lasix initially and diuresed to -600 cc on the first night of admission. Lungs continued to sound wet and the patient was increased to 40 mg p.o. b.i.d. of Lasix on day number two.

By hospital day number three the patient had been diuresed to -3.2 liters and lung exam was much improved. The patient was 96% on room air through hospital stay. Chest x-ray on February 17, 2002, had no improvement from the previous study, though clinically the patient had been much more comfortable.

A MIBI on February 19, 2002, showed an ejection fraction of 21%, large



UCSD Healthcare

DISCHARGE SUMMARY
02/23/02

PAGE: 2 OF 3

0807725
WILLIS LEROY J
06/02/1958 83687731

heart size, and left inferior wall infarct, but no evidence of current ischemia.

Cardiology consult saw the patient and believed congestive heart failure likely to be secondary to sarcoid versus hypertension secondary to cocaine or amphetamines, and suggested blood pressure control with ACE inhibitor, carvedilol, and possibly steroids for his sarcoid etiology. They also suggested getting a biopsy of the mediastinal lymphadenopathy for definite diagnosis.

The patient was kept in house for cath biopsy on February 25, 2002, but the patient refused the procedure at the last minute.

The patient was sent back to the custody of the sheriff's on February 25, 2002, on carvedilol, benazepril, and aspirin, and advised to follow up with Cardiology as soon as possible for the cath biopsy and definitive diagnosis.

(2) Sarcoid: The patient reported a diagnosis of sarcoid years in the past and chest x-ray did show perihilar lymphadenopathy. Cardiology believed his cardiac problems could be secondary to a sarcoid, but the patient refused biopsy for definitive diagnosis and therefore the patient could not be sent out on prednisone therapy. The patient did receive two days of 40 mg q.day of prednisone while in house, but as stated before, the patient was sent out without prednisone therapy because we could not get a definitive diagnosis of a sarcoid.

(3) Shortness of breath: The patient presented with complaints of increasing shortness of breath and chest x-ray was consistent with congestive heart failure, but focal infiltrate could not be ruled out. The patient was started on azithromycin on admission and finished a five-day course of azithromycin while in house. The patient initially on presentation was on 1 liter of O2 by nasal cannula, but over the first hospital night the patient was weaned to room air and remained above 93% on room air while in house. The patient was also given MDI therapy per RT protocol while in house but did not need any treatment while he was here. The patient was discharge in stable condition, in no acute distress, sating 96% on room air.

(4) Chest pain: The patient was ruled out for acute myocardial infarction with cardiac enzymes times three that were negative. EKG was within normal limits, but the patient was kept on Telemetry while in house. He did have self resolving runs of PVCs that were asymptomatic. Blood pressure was controlled on 10 mg q.day of carvedilol while in house and the patient remained cardiovascularly stable. The patient was also started on aspirin therapy at 325 mg q.day and 5 mg p.o. of benazepril per Cardiology recommendations. The patient did not have any chest pain while in house but was written for nitroglycerin 1 inch of the nitropaste q.8h p.r.n. chest pain.

(5) Left orbital fracture: On the second hospital day the patient was in an altercation with police officers regarding his room. The patient was struck in the left eye by an officer and the following morning during



UCSD Healthcare

DISCHARGE SUMMARY
02/23/02

PAGE: 3 OF 3

0807725
WILLIS LEROY J
06/02/1958 83687731

rounds complained of a swollen left eye and he was unable to open. The patient was sent to Ophthalmology for consultation on February 19, 2002, and did receive a head CT. Ophthalmology saw a nondisplaced left orbital fracture. The patient was followed by Ophthalmology while in house. Vision remained grossly intact and extraocular muscles were intact. Swelling decreased through his hospital stay and the patient was discharged with an improving left orbital fracture and one week followup with Ophthalmology.

DISCHARGE MEDICATIONS: Benazepril 20 mg p.o. q.day, carvedilol 6.25 mg p.o. b.i.d., aspirin 325 mg q.day, Bumex 1 mg p.o. q.a.m.
CONDITION ON DISCHARGE: Stable and improving condition.

DISCHARGE FOLLOWUP: Followup with Cardiology as soon as possible for cath, biopsy, and definitive diagnosis of the precipitating conditions for his congestive heart failure. He is also to follow up with Ophthalmology in one week for his orbital fracture.

DD: 04/09/2002 DT: 04/10/2002 1:03 P
GC/r10D100BD08.UCC

DocNo.: 367562

Referring Physician:
NONE PER PATIENT

Primary Care Physician:
NONE PER PATIENT

CC:

SIGNED 04/15/02 1305 BY GUILLERMO CASTILLO M.D.
ELECTRONIC SIGNATURE DERIVED FROM A SINGLE CONTROLLED ACCESS PASSWORD



County of San Diego

OFFICE OF COUNTY COUNSEL
CLAIMS AND INVESTIGATION DIVISION
1600 PACIFIC HIGHWAY, ROOM 355, SAN DIEGO, CALIFORNIA 92101-2469

February 20, 2008

Leroy Willis
7770645
P.O. Box 122952
San Diego, California 92112

Re: Claimant: Leroy Willis
County File Number: 020204
Date of Incident: February 18, 2002

Dear Leroy Willis:

Please find enclosed the claim form received February 15, 2008. **Please be advised that final action was taken on your claim regarding this incident on June 18, 2002.** Attached is a copy of the rejection notice. No further action will be taken by this office regarding the claim including your new allegation of nightmares.

Sincerely,

Office of County Counsel
Claims and Investigation Division
(619) 531-4899



CLAIM AGAINST THE COUNTY OF SAN DIEGO
(FOR DAMAGES TO PERSONS OR PERSONAL PROPERTY)

Received by _____ via
U. S. Mail ☐
Inter-Office Mail ☐
Over the Counter ☐

County of San Diego

FEB 15 2008

County Counsel
Claims Section

File No.: _____

A claim must be filed with the Claims Division of the County of San Diego within 6 months after which the incident or event occurred. Be sure your claim is against the County of San Diego, not another public entity. Where space is insufficient, please use additional paper and identify information by paragraph number. Completed claims must be mailed or delivered to: County of San Diego, Claims Division, 1600 Pacific Highway, Room 355, San Diego, CA 92101-2469, phone (619) 531-4899.

TO THE HONORABLE BOARD OF SUPERVISORS, The County of San Diego, California

The undersigned respectfully submits the following claim and information relative to damage to persons and/or personal property:

1. Name of Claimant: Mr. [unclear] WILLIS **NIGHTMARES FROM ATTACK BY SCS.**
Last Name First Name Middle Name
A. Address of Claimant: P.O. BOX 122952 SD, CA 92112
Street Address City Zip
B. Home Phone No.: _____ Work Phone No.: 498-8096 C. Birthdate: ca 2/1/centro CA
D. Social Security No.: Private E. Driver's License No.: N5115247
2. Name, telephone and post office address to which claimant desires notices to be sent if other than above: _____

3. Occurrence or event from which the claim arises: A. Date: Feb-18-02 B. Time: AM
C. Place (exact and specific location): LICSD MEDICAL HOSPITAL SD, CA
TRACTURED EYE. XRAY CONCLUDED RESULTS

D. Specify the particular occurrence, event, act or omission you claim caused the injury or damage (use additional paper if necessary): TRACTURED LEFT EYE BY DEPUTY
ANDERSON AND KATRA-BILL KOLLENDER FAILED TO
PROPERLY TRAIN DEPUTY. LICSD FAILED TO PROTECT
INMATE WILLIS. MEDICAL ID BAND MIX UP. NURSE CORD MIX
UP

E. State how or wherein the County of San Diego or its employees were at fault. Give the name(s) of the County department and employee(s) causing the damage or injury: BILL KOLLENDER FAILED
TO TRAIN DEPUTYS CONCERNING MEDICAL
INMATE ISSUES. LICSD CHIEF MEDICAL OFFICER FAILED
TO TRAIN THERE EMPLOYEES. MEDICAL WRIST
BAND MIX UP. WRONG NAME ON WRIST BAND OF PATIENT
IN THE ROOM WITH MR WILLIS. BOTH PATIENTS HAD
THE NAME OF TEROY WILLIS ON THEIR WRIST IN ROOM

JS44

(Rev. 07/89)

CIVIL COVER SHEET

The JS-44 civil cover sheet and the information contained herein neither replace nor supplement the filing and service of pleadings or other papers as required by law, except as provided by local rules of court. This form, approved by the Judicial Conference of the United States in September 1974, is required for the use of the Clerk of Court for the purpose of initiating the civil docket sheet. (SEE INSTRUCTIONS ON THE SECOND PAGE OF THIS FORM.)

I (a) PLAINTIFFS

Leroy Willis, Jr.

(b) COUNTY OF RESIDENCE OF FIRST LISTED PLAINTIFF San Diego
(EXCEPT IN U.S. PLAINTIFF CASES)

2354	1983
FILING FEE PAID	
Yes	No
MOTION FILED	
Yes	No
COPIES SENT TO	
Court	Proctor

2008 MAY -9 PM 2:24

Kolender, et al
CLERK US DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA

(c) ATTORNEYS (FIRM NAME, ADDRESS, AND TELEPHONE NUMBER) ATTORNEYS (IF KNOWN)
Leroy Willis, Jr.
1173 Front Street
San Diego, CA 92101
BK# 7770645

II. BASIS OF JURISDICTION (PLACE AN X IN ONE BOX ONLY)

- ☐ 1 U.S. Government Plaintiff ☒ 3 Federal Question (U.S. Government Not a Party)
☐ 2 U.S. Government Defendant ☐ 4 Diversity (Indicate Citizenship of Parties in Item III)

III. CITIZENSHIP OF PRINCIPAL PARTIES (PLACE AN X IN ONE BOX FOR PLAINTIFF AND ONE BOX FOR DEFENDANT)

- | | PT | DEF | | PT | DEF |
|---|----------------------------|----------------------------|---|----------------------------|----------------------------|
| Citizen of This State | <input type="checkbox"/> 1 | <input type="checkbox"/> 1 | Incorporated or Principal Place of Business in This State | <input type="checkbox"/> 4 | <input type="checkbox"/> 4 |
| Citizen of Another State | <input type="checkbox"/> 2 | <input type="checkbox"/> 2 | Incorporated and Principal Place of Business in Another State | <input type="checkbox"/> 5 | <input type="checkbox"/> 5 |
| Citizen or Subject of a Foreign Country | <input type="checkbox"/> 3 | <input type="checkbox"/> 3 | Foreign Nation | <input type="checkbox"/> 6 | <input type="checkbox"/> 6 |

IV. CAUSE OF ACTION (CITE THE US CIVIL STATUTE UNDER WHICH YOU ARE FILING AND WRITE A BRIEF STATEMENT OF CAUSE. DO NOT CITE JURISDICTIONAL STATUTES UNLESS DIVERSITY).

42 U.S.C. 1983

V. NATURE OF SUIT (PLACE AN X IN ONE BOX ONLY)

CONTRACT	TORTS		FORFEITURE/PENALTY	BANKRUPTCY	OTHER STATUTES
<input type="checkbox"/> 110 Insurance <input type="checkbox"/> Marine <input type="checkbox"/> Miller Act <input type="checkbox"/> Negotiable Instrument <input type="checkbox"/> 150 Recovery of Overpayment & Enforcement of Judgment <input type="checkbox"/> 151 Medicare Act <input type="checkbox"/> 152 Recovery of Defaulted Student Loans (Excl. Veterans) <input type="checkbox"/> 153 Recovery of Overpayment of Veterans Benefits <input type="checkbox"/> 160 Stockholders Suits <input type="checkbox"/> Other Contract <input type="checkbox"/> 195 Contract Product Liability	PERSONAL INJURY <input type="checkbox"/> 310 Airplane <input type="checkbox"/> 315 Airplane Product Liability <input type="checkbox"/> 320 Assault, Libel & Slander <input type="checkbox"/> 330 Federal Employers' Liability <input type="checkbox"/> 340 Marine <input type="checkbox"/> 345 Marine Product Liability <input type="checkbox"/> 350 Motor Vehicle <input type="checkbox"/> 355 Motor Vehicle Product Liability <input type="checkbox"/> 360 Other Personal Injury	PERSONAL INJURY <input type="checkbox"/> 362 Personal Injury-Medical Malpractice <input type="checkbox"/> 365 Personal Injury - Product Liability <input type="checkbox"/> 368 Asbestos Personal Injury Product Liability PERSONAL PROPERTY <input type="checkbox"/> 370 Other Fraud <input type="checkbox"/> 371 Truth in Lending <input type="checkbox"/> 380 Other Personal Property Damage <input type="checkbox"/> 385 Property Damage Product Liability	<input type="checkbox"/> 610 Agriculture <input type="checkbox"/> 620 Other Food & Drug <input type="checkbox"/> 625 Drug Related Seizure of Property 21 USC 881 <input type="checkbox"/> 630 Liquor Laws <input type="checkbox"/> 640 RR & Truck <input type="checkbox"/> 650 Airline Regs <input type="checkbox"/> 660 Occupational Safety/Health <input type="checkbox"/> 690 Other LABOR <input type="checkbox"/> 710 Fair Labor Standards Act <input type="checkbox"/> 720 Labor/Mgmt. Relations <input type="checkbox"/> 730 Labor/Mgmt. Reporting & Disclosure Act <input type="checkbox"/> 740 Railway Labor Act <input type="checkbox"/> 790 Other Labor Litigation <input type="checkbox"/> 791 Empl. Ret. Inc. <input type="checkbox"/> Security Act	<input type="checkbox"/> 422 Appeal 28 USC 158 <input type="checkbox"/> 423 Withdrawal 28 USC 157 PROPERTY RIGHTS <input type="checkbox"/> 820 Copyrights <input type="checkbox"/> 830 Patent <input type="checkbox"/> 840 Trademark SOCIAL SECURITY <input type="checkbox"/> 861 HIA (13958) <input type="checkbox"/> 862 Black Lung (923) <input type="checkbox"/> 863 DIWC/DIWW (405(g)) <input type="checkbox"/> 864 SSID Title XVI <input type="checkbox"/> 865 RSI (405(p)) FEDERAL TAX SUITS <input type="checkbox"/> 870 Taxes (U.S. Plaintiff or Defendant) <input type="checkbox"/> 871 IRS - Third Party 26 USC 7609	<input type="checkbox"/> 400 State Reappointment <input type="checkbox"/> 410 Antitrust <input type="checkbox"/> 430 Banks and Banking <input type="checkbox"/> 450 Commerce/ICC Rates/etc. <input type="checkbox"/> 460 Deportation <input type="checkbox"/> 470 Racketeer Influenced and Corrupt Organizations <input type="checkbox"/> 810 Selective Service <input type="checkbox"/> 850 Securities/Commodities Exchange <input type="checkbox"/> 875 Customer Challenge 12 USC <input type="checkbox"/> 891 Agricultural Acts <input type="checkbox"/> 892 Economic Stabilization Act <input type="checkbox"/> 893 Environmental Matters <input type="checkbox"/> 894 Energy Allocation Act <input type="checkbox"/> 895 Freedom of Information Act <input type="checkbox"/> 900 Appeal of Fee Determination Under Equal Access to Justice <input type="checkbox"/> 950 Constitutionality of State <input type="checkbox"/> 890 Other Statutory Actions
REAL PROPERTY <input type="checkbox"/> 210 Land Condemnation <input type="checkbox"/> 220 Foreclosure <input type="checkbox"/> 230 Rent Lease & Ejectment <input type="checkbox"/> 240 Tort to Land <input type="checkbox"/> 245 Tort Product Liability <input type="checkbox"/> 290 All Other Real Property	CIVIL RIGHTS <input type="checkbox"/> 441 Voting <input type="checkbox"/> 442 Employment <input type="checkbox"/> 443 Housing/Accommodations <input type="checkbox"/> 444 Welfare <input type="checkbox"/> 440 Other Civil Rights	PRISONER PETITIONS <input type="checkbox"/> 510 Motions to Vacate Sentence Habeas Corpus <input type="checkbox"/> 530 General <input type="checkbox"/> 535 Death Penalty <input type="checkbox"/> 540 Mandamus & Other <input checked="" type="checkbox"/> 550 Civil Rights			

VI. ORIGIN (PLACE AN X IN ONE BOX ONLY)

- ☒ 1 Original Proceeding ☐ 2 Removal from State Court ☐ 3 Remanded from Appellate Court ☐ 4 Reinstated or Reopened ☐ 5 Transferred from another district (specify) ☐ 6 Multidistrict Litigation ☐ 7 Appeal to District Judge from Magistrate Judgment

VII. REQUESTED IN COMPLAINT:

☐ CHECK IF THIS IS A CLASS ACTION UNDER F.R.C.P. 23

DEMAND \$

Check YES only if demanded in complaint:

JURY DEMAND: ☐ YES ☐ NO

VIII. RELATED CASE(S) IF ANY (See Instructions): JUDGE

Docket Number

DATE 5/9/2008

SIGNATURE OF ATTORNEY OF RECORD

R. Miller